Docket No. DEP5083

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David Wayne Daniels et al

Serial No. : Art Unit:

Filed : Examiner:

For : NON-LINEAR REAMER FOR BONE PREPARATION AND

ASSOCIATED METHOD

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail" mailing number EU813686187US under 37 CFR 1.10 Addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 25, 2003 (Date of Deposit)

John S. Wagley

(Name of person depositing this document)

(Signature

June 25, 2003 (Date of Signature)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this

information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☐ In accordance with §1.97(b), since this Information

Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under \$1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information

In a	ccordance with §1.129(a), this Information
Disclosure Stat	ement is being filed in connection with \square the
first or _seco	ond After Final Submission, therefore:
	Statement in Accordance with §1.97(e)
	(attached); or
	Please charge Deposit Account No. 10-
	0750/DEP5083/JSW the fee of \$180.00 as set forth
	in §1.17(p).

In accordance with §1.97(c), this Information
Disclosure Statement is being filed after the period set forth
in §1.97(b) above but before the mailing date of either a Final
Action under §1.113 or a Notice of Allowance under §1.311, or
an action that otherwise closes prosecution and that it is
accompanied by one of:

		Statement in Accordance with §1.97(e)
		(attached); or
		Please charge Deposit Account No. 10-
		0750/DEP5083 /JSW the fee of \$180.00 as set
		forth in §1.17(p).
	In a	ccordance with §1.97(d), this Information
Disclosure	e Stai	tement is being filed after the mailing date of
either a l	Final	Action under §1.113 or a Notice of Allowance
under §1	.311]	but before the payment of the Issue Fee.
Applicant	(s) h	ereby petition(s) for consideration of this
Informatio	on Dia	sclosure Statement. Included are: Statement in
Accordance	e wit	h §1.97(e) as set forth below and the fee of
\$180.00 as	s set	forth in §1.17(p).
\boxtimes	Copi	es of each of the references listed on the
attached 1	Form 1	PTO-1449 are enclosed herewith.
	Coni	es of references listed on the attached Form PTO
		sed herewith EXCEPT THAT:
1445 ale	encro:	sed herewith ExcEFT THAT:
		In view of the voluminous nature of references
		[list as appropriate], and the likelihood that
		these references are available to the Examiner,
		copies are not enclosed herewith.
		•
		If any of the foregoing publications are not
		available to the Examiner, Applicant will
		endeavor to supply copies at the Examiner's
		request.
		-
	Ther	e are no listed references which are not in the
English la	ລກຕນລ	ae

 \mathbf{X} The relevance of those listed references which are not in the English language is as follows: The relevance of these references can be ascertained by reference to the English Abstract and to the drawings. \Box Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D. Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/DEP5083/JSW. This form is submitted in triplicate. Respectfully submitted, Req. No. 36,043 Attorney for Applicants Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (574) 372-7332 DATED: June 25, 2003 - 4 -

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE to a collection of information unless it displays a valid OMB control or unborned to the control of the control of

Under the Paperwork Reduction Act of 1995, no persons are required to respond to Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 1 of 3

a collection of information unless it displays a valid OMB control number.						
Application Number						
Filing Date	June 25, 2003					
First Named Inventor	David Wayne Daniels					
Group Art Unit						
Examiner Name						
Attorney Docket Number	DEP5083					

				U.S. PATENT DOCUMENTS		
		U.S. Patent Document				
Examiner Cite Initials No.1		Kind Code ² Number (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		US 2001/0001121 A1		Lombardo et al.	May 10, 2001	
		US 2001/0007957 A1		Martin et al.	Jul. 12, 2001	•
		3,810,312		Carson	May 14, 1974	
		4,716, 894		Lazzeri et al.	Jan. 5, 1988	
		4,917,530		Engelhardt et al.	Apr. 17, 1990	
		4,969,911		Greene	Nov. 13, 1990	
		5,002,581		Paxson et al.	Mar. 26, 1991	
		5,100,407		Conrad et al.	Mar. 31, 1992	
		5,135,529		Paxson et al.	Aug. 4, 1992	
		5,197,989		Hinckfuss et al.	Mar. 30, 1993	
		5,201,882		Paxson	Apr. 13, 1993	
		5,370,706		Bolesky et al.	Dec. 6, 1994	
		5,507,824		Lennox	Apr. 16, 1996	
		5,507,830		DeMane et al.	Apr. 16, 1996	
		5,601,567		Swajger et al.	Feb. 11, 1997	
		5,607,431		Dudasik et al.	Mar. 4, 1997	
		5,645,607		Hickey	Jul. 8, 1997	
		5,658,349		Brooks et al.	Aug. 19, 1997	
		5,728,128		Crickenberger et al.	Mar. 17, 1998	
		5,766,261		Neal et al.	Jun. 16, 1998	
		5,776,200		Johnson et al.	Jul. 7, 1998	
		5,792,143		Samuelson et al.	Aug. 11, 1998	
		5,810,829		Elliott et al.	Sep. 22, 1998	
		5,810,830		Noble et al.	Sept. 22, 1998	
		5,858,020		Johnson et al.	Jan. 12, 1999	
		5,860,969		White et al.	Jan. 19, 1999	
		5,876,459		Powell	Mar. 2, 1999	
		5,879,391		Slamin	Mar. 9, 1999	
		5,906,644		Powell	May 25, 1999	
		5,919,195		Wilson et al.	Jul. 6, 1999	
		5,935,172		Ochoa et al.	Aug. 10, 1999	
		5,951,606		Burke	Sep. 14, 1999	
		5,976,147		LaSalle et al.	Nov. 2, 1999	

	Un	der the Paperwork Reduction Act of	11005 no no				RTMENT OF COMMERCE
	Substitute for form		1990, No pe	ersons are required to respond to	Application N		Valid OMB control number.
	INFO	RMATION D	1001	OCUDE		ļ	
	SIAI	EMENT BY		LICANI	ł		
		(use as many sheets as r Sheet 2 of			ĺ		
					Filing Date		June 25, 2003
	}				First Named		David Wayne Daniels
					Group Art Ur Examiner Na		
					Attorney Doc	ket Number	DEP5083
	Unc	fer the Paperwork Reduction Act of	1995, no pe		U.S. Patent and Trader	nark Office: U.S. DEPAF	RTMENT OF COMMERCE valid OMB control number.
			,	,		,	
		5,976,188		Dextradeur et al.		Nov. 2, 1999	
		5,993,455	ļ	Noble		Nov. 30, 1999	
		6,045,556		Cohen		Apr. 4, 2000	
		6,071,311		O'Neil et al.		Jun. 6, 2000	
		6,080,162		Dye et al.		Jun. 27, 2000	
		6,117,138		Burrows et al.		Sep. 12, 2000	
		6,126,694		Gray, Jr.		Oct. 3, 2000	
		6,179,877 B1		Burke		Jan. 30, 2001	
		6,193,759 B1		Rio et al.		Feb. 27, 2001	
		6,197,065 B1		Martin et al.		Mar. 6, 2001	
		6,206,884 B1		Masini		Mar. 27, 2001	
		6,224,605 B1		Anderson et al.		May 1, 2001	
		6,238,435 B1		Meulink et al.		May 29, 2001	
•		6,258,095 B1		Lombardo et al.		Jul. 10, 2001	
:		6,258,097 B1		Cook et al.		Jul. 10, 2001	
i.		6,319,286 B1		Fernandez et al.		Nov. 20, 2001	
9		6,332,886 B1		Green et al.		Dec. 25, 2001	
ĺ		6,355,068 B1		Doubler et al.		Mar. 12, 2002	
		6,361,563 B2		Terrill-Grisoni et al.		Mar. 26, 2002	
		6,432,110 B1		Richelsoph		Aug. 13, 2002	
		6,517,581 B2		Blamey		Feb. 11, 2003	
ĺ							
j					· · · · · · · · · · · · · · · · · · ·		
J	I						

.

PTO/SB/08A (08-00)

Approved for use through 10/31/2002 OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary) Sheet 3 of 3

O TORO OTHER DETRICT TRANSPORT
June 25, 2003
David Wayne Daniels
DEP5083

	Foreign Patent Document Name of Patentee or		Date of Publication Pages, Columns, Lines, of Cited Document where relevant					
Examiner Initials	Cite No.1	Office ³	Number ⁴ Ki	ndCode ⁵	Applicant of Cited Document	mm-dd-yyyy	passages or relevant figures appear	Τ ⁰
			WO 96/15739		ARTOS MEDIZINISCHE PRODUKTE GMBH	May 30, 1996		
	Ţ							

FOREIGN PATENT DOCUMENTS

		OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS	
Examiner's Initials*	Cite No.1	Include name of the author (in CAPITOL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T²
			\perp

Examiner	Date	
Signature	Considered	

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. 2 Applicant is to place a check mark here if English language Translation is attached.